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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/822,625	03/30/2001	Srinivas Gutta	US010124	7123

7590 02/27/2003

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EXAMINER

ENG, GEORGE

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 02/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/822,625

Applicant(s)

GUTTA ET AL.

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements filed 3/30/2001 (paper no. 2) and 9/20/2002 (paper no. 4) have been considered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 2-4, the phrase “any” renders the claim vague and indefinite because the phrase “any” does not positively identify the claimed limitation, which “any” can be interpreted as an indeterminate number or amount.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Cho (US PAT. 5,396,287).

Regarding claim 1, Cho discloses a device (14) for remotely controlling a camera (2) having a lens (1) as shown in figure 1 comprising a monitor (10) operable to display a field of view of the lens (col. 4 lines 2-3), means (11) for determining a gaze by a viewer upon an image in the field of view (col. 4 lines 4-29 and col. 5 lines 23-29), and means for selectively adjusting a zoom and a focus of the lens in a direction of the image (col.4 line 30 through col.5 line 22).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho (US PAT. 5,396,287) in view of Marks et al. (US PAT. 5,845,009 hereinafter Mark)

Regarding claim 2, Cho differs from the claimed invention in not specifically teaching the device comprising means for selectively adjusting a pan orientation and a tile orientation of the camera and adjusting the zoom and focus of the lens as a function of movement of the image. However, Mark teaches an object tracking system comprising means for tracking a field of view of a camera and controlling the camera based on movement of the tracking object (col. 2 lines 39-63 and col. 3 line 37 through col. 4 line 48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Cho in selectively adjusting the pan orientation and the tile orientation of the camera and adjusting the zoom and focus of the lens as the function of movement of the image, as per teaching of Marks, because it improves the device so that the device is capable of automatically tracking a moving object within an image.

Regarding claim 3, Cho discloses a device (14) for remotely controlling a camera (2) having a lens (1) as shown in figure 1 comprising a monitor (10) operable to display a field of view of the lens (col. 4 lines 2-3), a touch screen (11) operable to provide at least one signal indicative of a viewer pointing on the touch screen in a direction of an image in the field of view (col. 4 lines 4-29 and col. 5 lines 23-29), means for determining the image in response to said at least signal (col. 4 lines 50-64), and means for selectively adjusting a zoom and a focus of the lens in a direction of the image (col. 5 lines 4-22). Cho differs from the claimed invention in not specifically teaching the device comprising means for selectively adjusting a pan orientation and a tile orientation of the camera and adjusting the zoom and focus of the lens as a function of

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movement of the image. However, Mark teaches an object tracking system comprising means for tracking a field of view of a camera and controlling the camera based on movement of the tracking object (col. 2 lines 39-63 and col. 3 line 37 through col. 4 line 48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Cho in selectively adjusting the pan orientation and the tile orientation of the camera and adjusting the zoom and focus of the lens as the function of movement of the image, as per teaching of Marks, because it improves the device so that the device is capable of automatically tracking a moving object within an image.

Regarding claim 4, Cho discloses a device (14) for remotely controlling a camera (2) having a lens (1) as shown in figure 1 comprising a monitor (10) operable to display a field of view of the lens (col. 4 lines 2-3) and means for selectively adjusting a zoom and a focus of the lens in a direction of the image (col. 5 lines 4-22). Cho differs from the claimed invention in not specifically teaching the device comprising means for selectively adjusting a pan orientation and a tile orientation of the camera and adjusting the zoom and focus of the lens as a function of movement of the image. However, Mark teaches an object tracking system comprising means for tracking a field of view of a camera and controlling the camera based on movement of the tracking object (col. 2 lines 39-63 and col. 3 line 37 through col. 4 line 48). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Cho in selectively adjusting the pan orientation and the tile orientation of the camera and adjusting the zoom and focus of the lens as the function of movement of the image, as per teaching of Marks, because it improves the device so that the device is capable of automatically tracking a moving object within an image.

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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Alexandar et al. (US PAT. 6,380,968) discloses an apparatus for controlling a remote video camera in response to a result of analysis (abstract). Cortjens et al. (US PAT. 5,568,183) discloses a video conference system having means for automatically positioning a camera including automatically zooming and focusing the camera, automatically adjusting pan and tilt rates, and zooming and focusing during pan and tilt operations (abstract). Vye (US PAT. 4,720,805) discloses a computerized control system for panning tilting functions of a camera head (abstract).

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, V.A., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tuesday to Friday from 7:30 AM to 6:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz, can be reached on (703) 305-4870. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

A handwritten signature in black ink, appearing to read "George Eng". The signature is written in a cursive, flowing style.

George Eng

Examiner

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